IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.11852 of 2008
MITHUN KUMAR @ MITUN SONAR
Versus
STATE OF BIHAR
with
Cr.Misc. No.13265 of 2008
RAKESH RAWANI
Versus
THE STATE OF BIHAR
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5. 18/07/2008 Heard learned counsel for the petitioners and learned counsel for the State.

Case is under section 395 of the Indian Penal Code and section 3/4 of the Explosive Substance Act.

It is said that there was dacoity in the house of the informant in which he identified one accused. Later on, one Vikram kumar was arrested, who made confessional statement disclosing the name of Md.Parwej and these two petitioners, on the basis of which they were arrested. It is said that except for the confessional statement, no incriminating evidence has come against these petitioners during investigation and no recovery has been made. Attention of this Court has been drawn to Annexure-2 of Cr.Misc.No.13265 of 2008, the order dated 8.2.2008 passed in Cr.Misc.No.913 of 2008, from which it transpires that the bail

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application of co-accused Md.Parwej has been allowed by this Court.

In the circumstances, in view of the fact that the co-accused in identical circumstances has been granted bail by this Court and the fact that the petitioners are in custody since 9.2.2007 and 29.8.2007 respectively, both the applications are allowed. Let petitioner Mithun Kumar @ Mitun Sonar of Cr.Misc.No.11852 of 2008 and petitioner Rakesh Rawani of Cr.Misc.No.13265 of 2008 be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in Civil Lines P.S.Case No.186 of 2007.

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Pradeep/ **(J. N. Singh, J.)**

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